IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 13304 of 2005

Between:

1 Pothula Narasimhulu, S/o.Narasiah,
R/o.Sindhanthipuram, Khajipet Mandal,Kadapa district.
2 Pothula Ramanamma, W/o.Narasimhulu,
R/o.Sindhanthipuram, Khajipet Mandal,Kadapa district.

..... PETITIONERS

AND

The Mandal Revenue Officer, Mydukur Mandal,Kadapa district.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in dispossessing the petitioners herein from the land of 1-25 acres in Sy.No.453/2 and 1-00 acre in Sy.No.453/3 and 3.18 acres in Sy.No.453/1 of Nandyalampet Village in Khajipet Mandal of Kadapa district without following any procedure and without conducting any enquiry as illegal, unjust, arbitrary without jurisdiction and against Section 3 (5) of the A.P.Assigned Lands Prohibition of transfers) Act 1977 and consequently direct the respondent not to dispossess the petitioners from the land of 1-25 acres in Sy.No.453/2 and 1-00 acre in Sy.No.453/3 and 3.18 acres in Sy.No.453/1 of Nandyalampet Village in Khajipet Mandal of Kadapa district and pass such other order or orders.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

Heard both sides.

In this Writ Petition, petitioners are seeking a Writ of Mandamus, declaring the action of the respondent in dispossessing the petitioners from the land of Ac. 1.25 in S.No. 453/2 and Ac. 1.00 in S.No. 453/1 of Nandyalampet village in Khajipet Mandal of Kadapa District, without following any procedure and without conducting any enquiry, as illegal and consequently direct the respondent not to dispossess the petitioners from the land.

When the matter is taken up for admission, the learned counsel appearing for the petitioner is unable to establish his right to the property though he has stated that he purchased the suit schedule property in the year 2004, and no copy of the sale deed or any revenue record is filed for consideration of this court to believe that he purchased the land and he is in possession of the same, in spite of giving proper opportunity to file documentary evidence on 23.6.2005. Therefore, I see no reason to entertain the Writ Petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

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E. DHARMA RAO, J

DATED: 27/06/2005

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To

1. The Mandal Revenue Officer, Mydukur Mandal,Kadapa district.
2. Two CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT)
3. Two CD copies.